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July 19, 2017

HONORABLE ROBERT D. DRAIN  
United States Bankruptcy Court  
Southern District of New York  
300 Quarropas Street  
White Plains, New York 10601

Re: Milton Katcher, Chapter 13 Debtor  
SDNY Case No. 15-23696 (rdd)

Dear Judge Drain:

Please be advised that our Firm represents Creditor, Capital One, N.A., in the above-referenced matter. A loss mitigation status hearing is scheduled for July 26, 2017. Please allow this letter to serve as a response to the status report filed by the Debtor on or about July 20, 2017 in the above loss mitigation matter.

The request by Capital One, N.A. in this loss mitigation matter is not abusive. The original application for loss mitigation provided that the Debtor's income was solely from disability income. When Capital One, N.A. reviewed the bank statements and discovered that the Debtor had actually begun working for RE/MAX, and was receiving commission checks, they requested a new application.

A borrower's income is an integral part of the loss mitigation review process, and the parameters of each review require that the Debtor disclose all income received. In order for the Debtor to be properly reviewed for all possible loss mitigation programs an accurate and comprehensive application evidencing all forms of income must be submitted. The Lender is simply attempting to assist the Debtor in providing all required documents so that he can be reviewed for each and every program available to him.

Thanking you for your courtesy in this matter, I am

Respectfully yours,  
*s/Mark E. Cohen, Esq.*  
MARK E. COHEN, ESQ.

MEC:ms

cc: Rosemarie E. Matera, Esq. [By Email Only]  
Jody Kava, Esq. [By Email Only]